

CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**

of **March 7, 2005**

at **7:00 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Study Session -- See Attached Agenda.**

**** 6:05 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

Proclamation: March 2005: Red Cross Month in the City of Hollister

6:05 P.M. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (2 potential cases will be discussed).
 - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
 - d. Borges et al v. Hollister, Case No. CV030139
 - e. City of Hollister v. Albert Rodriguez, et al., Case Number CU-04-00076
 - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

- 5. Personnel – City Manager Evaluation and Contract.
- 6. Conference with Real Property Negotiator pursuant to Government Code section 54956.8
Agency Negotiator: Clint Quilter
Property Owner: City of Hollister
Property Address: 155 Skyline Dr.
Under Negotiation: Price and Term of Payment
- 7. Threat to Public Services or Facilities pursuant to Government Code Section 54957:

Consultation with City of Hollister Chief of Police

7:00 P. M. - AGENDA

A. CONSENT RESOLUTION (March 7, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2 and A3.

A1. Minutes of Regular Meeting of February 22, 2005.

Approve Minutes of the Regular Meeting of February 22, 2005, as submitted.

A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers:

- February 16, 2005 \$ 462,274.52
- February 24, 2005 \$ 835,939.04

A3. ABC License Reviews – Mountain Mikes Pizza and Happy Cafe.

City Council should acknowledge receipt of the ABC license reviews for Mountain Mikes Pizza at 261 McCray Street, #A and Happy Café 191 San Felipe Road, and order them filed.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or About 7:00 p.m.)

None

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Read by Title Only and Adopt Ordinance No. 995, An Ordinance of the City Council of the City of Hollister Amending Municipal Code Section 2.04.010 Relating to Time of Meeting.

This Ordinance amends Section 2.04.010 of the City of Hollister Municipal Code changing the starting time of City Council meetings from 7 p.m. to 6:30 p.m.

2. Resolution No. 2005-32, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF A CONTRACT WITH AL'S SEPTIC SERVICE FOR FIRE STATION 2.

This Resolution authorizes execution of a one (1) year contract with Al's Septic Service for pumping and disposal of waste from Fire Station 2.

3. Resolution No. 2005-33, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL SDES PORTUGUESE PARADE.

This Resolution authorizes the temporary closure of various streets for the annual SDES Portuguese Parade to be held on Sunday, May 15, 2005.

4. Recreation Division Temporary Staffing Request.

City Council to authorize hiring of part-time employees in connection with scheduled Recreation Division programs during the months of March through May 2005.

5. Resolution No. 2005-34, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING PROPOSALS AND APPROVING A CONTRACT FOR THE ENHANCED VAPOR RECOVERY (EVR) MODIFICATIONS TO THE PHASE I VAPOR RECOVERY SYSTEM FOR THE FUELING TANKS LOCATED AT THE CITY SERVICE CENTER.

This Resolution approves a contract for installation of the Vapor Recovery upgrade and modifications required by the California Air Resources Board (CARB) to the fueling station located the City Service Center.

6. Resolution No. 2005-35, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROFESSIONAL SERVICES CONTRACT WITH ASSOCIATED RIGHT OF WAY SERVICES, INC.

Resolution No. 2005-36, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING AN APPROPRIATION FROM TRAFFIC IMPACT FUND 304 FOR THE PROFESSIONAL SERVICES CONTRACT WITH ASSOCIATED RIGHT OF WAY SERVICES, INC. FOR THE NORTH STREET EXTENSION PROJECT, CIP 2309.

These Resolutions approve the Professional Services contract with Associated Right of Way Services, Inc. and authorize an appropriation from Traffic Impact Fund 304 for the North Street Extension Project, CIP 2309.

7. Resolution No. 2005-37, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROFESSIONAL SERVICES CONTRACT WITH PACIFIC CREST ENGINEERING, INC.

This Resolution approves a Professional Services contract with Pacific Crest Engineering, Inc. for geotechnical engineering services for the Pavement Overlay and Road Reconstruction 2004 Project, CIP 2343.

8. Resolution No. 2005-38, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR LANDSCAPE AND LIGHTING DISTRICT NO. 93-1, AND ORDER THE CITY ENGINEER TO PREPARE AND FILE THE REQUIRED SPECIAL DISTRICT REPORT.

This Resolution initiates proceedings for the Levy and collection of Annual Assessments for Landscape and Lighting District No. 93-1 and order the City Engineer to prepare and file the required Special District Report for Fiscal Year 2005/2006.

9. Resolution No. 2005-39, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS FOR PEACE OFFICERS TO STAFF THE 2005 INDEPENDENCE RALLY.

This Resolution authorizes the City Manager to execute contracts for Peace Officers to staff the 2005 Independence Rally.

10. Resolution No. 2005-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE FOR THE ANNUAL KIWANIS SNOW DAY EVENT.

This Resolution authorizes the temporary street closure for the Annual Kiwanis Snow Day event to be held on March 12 by Dunne Park.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

2. Receive report regarding water and wastewater issues.

Staff will be providing the City Council with an update of water and wastewater issues.

3. Discussion on Proposed Casino and Appointment of City Council Committee to Work on Issues Related to the Proposed Casino.

The City Council will discuss the proposed Casino and the Mayor will appoint a City Council Committee to work on issues related to the proposed casino.

4. Invitation from Congressman Sam Farr for Hollister to Host the 2005 Central Coast Citizenship Celebration.

Senator Farr has invited the City of Hollister to host the 2005 Central Coast Citizenship Celebration.

CONVENE REDEVELOPMENT AGENCY

5. Mid-Year Budget Review and Fiscal Year 2003-2004 City and Redevelopment Agency Annual Audit Reports.

The City Council Members and Redevelopment Agency Board Members will review the Mid-Year Budget and the Fiscal Year 2003-2004 City and Redevelopment Agency Annual Audit Reports.

RECESS REDEVELOPMENT AGENCY

F. UNFINISHED BUSINESS:

None

G. NEW BUSINESS:

None

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for March 21, 2005, at 7:00 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].